

## **Background on House Bill 268**

Before Georgia passed House Bill (HB) 268 in 2017, the Secretary of State's office utilized a matching process pre-cleared by the Department of Justice. When liberal groups sued over this process, the Attorney General's office negotiated a settlement agreement to end the litigation in February of 2017. All of the agreed-to procedures in this now nullified settlement are identical to this new law except for the twenty-six-month "pending" period. The General Assembly modeled this pending period after a Florida law upheld in the 11<sup>th</sup> Circuit. This time-frame exceeds the twelve-month window advocated by the now defunct Project Vote, a former ally of these same groups, in a 2010 white paper.

Once this new law went live in February of this year, if an applicant's information on a voter registration form results in a federal or state database mismatch, the applicant's status is 'pending.' The voter registration database generates a letter, and once the letter is printed, the applicant has twenty-six months to provide the correct information. The applicant can mail in a copy of eligible identification or offer it when she goes to the polls to vote. If she provides the information, she can vote a regular ballot on the spot.

## **The New Georgia Project**

The New Georgia Project seeks out minorities for voter registration and relies on the use of paper forms. Unfortunately, the New Georgia Project did not adequately train canvassers to ensure legible, complete forms in the 2014 election cycle, and it prioritized volume of applications over quality of applications. Elections officials all across this state have talked to New Georgia Project representatives about how they can fix these issues. If these problems continue, it is because the New Georgia Project remains uniquely sloppy in their registration efforts.

Millions of dollars poured into the New Georgia Project's activities in 2014 with Stacey Abrams at the helm. Members of Abrams' own party have ridiculed her failed leadership, alleging gross mismanagement and squandered donations.

In the 2014 election cycle, Stacey Abrams' New Georgia Project secured roughly 83,500 voter registration forms from individuals. The vast majority came from people who were already registered to vote. Although Abrams pledged to register hundreds of thousands of new voters, her project ultimately captured less than 3,000 brand-new voters who actually participated in the 2014 or 2015 election cycle.

By unanimous vote on September 20, 2017, the bipartisan State Election Board referred seventeen (17) New Georgia Project canvassers to the Attorney General's office for prosecution of election law violations. The case remains open. At the hearing, the Director of Muscogee County's Elections and Registration Office, Nancy Boren, offered this testimony:

"Thank you for the opportunity to address this body concerning the impact of the more than 20,000 voter registration applications received from New Georgia Project by this office in the second and third quarters of 2014 and 2016. I would like to highlight for you some of the problems we encountered and share with you how we handled them. Applications we received from these

canvassers were difficult to process, missing critical information, contained duplicate registration submitted within days of each other. Often it was five or more applications dated one or two days apart. Some of them contained different dates of birth by one day or a different date of birth by one year and they affect our operations even today. A review of the 3,112 pending voters for Muscogee County reflect examples of these applications. The results of the difficulties we faced with these forms we continue to face today. In 2014, my staff and I met with New Georgia Project and other organizations to help them review the deficiencies we were finding on the forms that they were submitting to provide insight into what we needed to complete the applications. We agreed to produce for them a weekly pending voter list for them to pick up each Friday so that they could review their deficiencies noted. This would have provided an opportunity for them as well as the people that they register to get that applicant registered. **These weekly reports were never picked up.** We met again with the same organization in 2016 to review procedures and exchange operational suggestions for improvement because we support the vigorous registration process but within legal guidelines. Due diligence is required to verify a voter's driver's license number that ended up being incorrect and street names that were either nonexistent or that we couldn't find at the end of a cul-de-sac. **The amount of time required to do this research was four times what it took to process a normal voter registration application with verifiable information.** Critical resources, of course, as many of you election officials know, were used to process these registrations. We worked for six weeks, seven days a week, twenty-four hours around the clock. We had three shifts to process these applications. Duplicate registrations were received with the same demographical information but with different signatures. Since absentee ballot applications, returned absentee envelopes or petitions require signature verification to be counted, we are in the quandary of which signature to count or which signature to look at on these application forms. . . **The most important thing that I would like for you to remember is that this is not a victimless crime.** From the number of hours required to verify information to ensure that citizens are eligible to register to vote, to the voters whose application for an absentee ballot could be denied because the signatures do not match. We must require compliance and accountability from these organizations that register people to vote. They cannot do it in a vacuum. The snowball effect of those tens of thousands of voter registration forms will continue to influence how we operate for many years to come.”

Based on Boren’s testimony, sixteen percent (16%) of all applicants who used forms submitted by the New Georgia Project to Muscogee County in the 2014 and 2016 election cycles ended up on the pending list. Muscogee County’s experience is not unique.